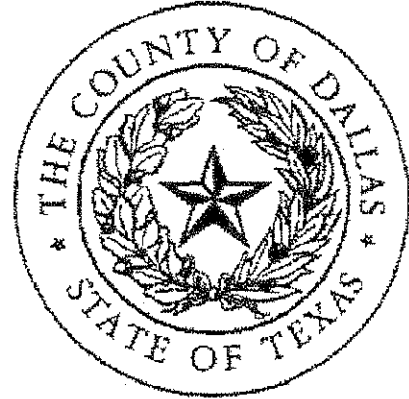


# **A** G E N D A



**Commissioners Court**

**Dallas County, Texas**

**Tuesday, August 2, 2011**

**9:00 A.M.**

- 1. Call Court To Order:**
- 2. Declare A Quorum Present:**
- 3. Declare Legal Notices Posted And Court Duly Called:**
- 4. Motion to Adjourn Court for the July Term:**
- 5. Motion To Open Court for the August Term:**
- 6. Bailiff To Open Court:**
- 7. Invocation:**

**Rev. Chris Carathers  
Irving North Christian Church  
Irving, Texas**

Dallas County Code Sec. 74-71. Meetings.

- Citizens and other visitors attending commissioners court meetings shall preserve order and decorum and shall neither, by conversation or otherwise, delay or interrupt the proceedings nor refuse to obey the orders of the presiding officer or rules of the commissioners court. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing and/or attending the commissioners court meeting shall be removed from the commissioners' courtroom if security is so directed by the presiding officer. If the presiding officer fails to act, any member of the commissioners court may move to require enforcement of the rules, and the affirmative vote of a majority of the commissioners court shall require the presiding officer to act.
- Unauthorized remarks from the audience, stamping of feet, whistles, yells, and similar demonstrations shall not be permitted. The presiding officer may direct security to remove offenders from the courtroom. If the presiding officer fails to act, any member of the commissioners court may move to require enforcement of the rules, and the affirmative vote of a majority of the commissioners court shall require the presiding officer to act.
- No placards, banners, or signs will be permitted in the commissioners' courtroom or in any other room in which the commissioners court is meeting. This does not prohibit displays and visual aids used in connection with a presentation to the commissioners court.
- Any person ordered to be removed from a commissioners court meeting under the provisions of this section shall be barred from further attendance of that session of the commissioners court meeting. Any person ordered to be removed from any commissioners court meeting may be barred from addressing and/or attending any commissioners court meeting for up to a six-month period. Any second violation within a year of the first shall result in a one-year suspension from attendance.
- A person that is found to be in violation of these rules by order of the presiding officer or an affirmative vote of the commissioners court may be held in contempt as allowed by V.T.C.A., Local Government Code, § 81.023. The punishment for contempt is a \$25.00 fine or 24 hours in jail. For an individual's first time to be held in contempt they shall be fined and for all additional times they will be subject to confinement in jail.
- Persons removed from a commissioners court meeting for failure to adhere to these rules shall be subject to arrest and prosecution for violation of the V.T.C.A., Penal Code §§ 38.13, 42.01 or 42.05.

(Admin. Policy Manual, § E(1.00--1.08); Ord. No. 98-2334, 12-8-1998; Ord. No. 2003-552, 4-1-2003; Ord. No. 2008-1336, 7-22-2008)

Código del Condado de Dallas Sec. 74-71. Reuniones.

- Ciudadanos y otros visitantes asistiendo la Corte de Comisionados preservarán el orden y decoro y ni por conversación o de otra manera, demorarán o interrumpirán los actos, ni se negarán a obedecer las órdenes del oficial dirigiendo la corte o reglas de la Corte de Comisionados. Cualquier persona que haga comentarios personales, impertinentes, profanos, difamatorios, o se agite mientras se dirige o asiste a la Corte de Comisionados sera retirada de la corte con la asistencia de seguridad por orden del oficial dirigiendo la corte. Si el oficial dirigiendo la corte falla en actuar, cualquier miembro de la Corte de Comisionados puede requerir un voto para ejecutar las reglas. El voto afirmativo de la mayoría de la Corte de Comisionados requerira al oficial dirigiendo la corte a actuar.
- Declaraciones hecha sin autorización por el publico, pisoteos fuertes, silbatos, gritos o cualquier otra demostración similar no seran permitidos. El oficial dirigiendo la corte le dara la orden al oficial de seguridad de retirar de la corte a cualquier ofensor. Si el oficial dirigiendo la corte falla en actuar cualquier miembro de la Corte de Comisionados puede requerir un voto para ejecutar las reglas. El voto afirmativo de la mayoría de la Corte de Comisionados requerira al oficial dirigiendo la corte a actuar.
- Nigun letrero, bandera, o pancarta sera permitido dentro de la Corte de Comisionados o cualquier otro cuarto donde los comisionados se juntan. Esto no prohíbe demostraciones o ayuda visual en presentaciones a la Corte de Comisionados.
- Cualquier persona que sea retirada de cualquier Corte de Comisionados segun las provisiones de esta sección sera prohibida en continuar asistiendo esa session. Cualquier persona que sea retirada de cualquier Corte de Comisionados se le prohibira dirigirse o asistir cualquier corte por un periodo de hasta seis meses. Cualquier violación, dentro de un año de la primera violacion resultara en un año de suspension en poder dirigirse o asistir a la corte.
- Cualquier persona que se encuentra en violacion de las reglas por orden del oficial que dirige la corte o por voto afirmativo de los comisionados puede ser detenido por desacato, como lo permite el V.T.C.A codigo de gobierno local §81.023. El castigo por desacato es una multa de \$25.00 o 24 horas de carcel. Cualquier individuo que se haye culpable sera sometido a una multa a la primera ofensa, para todas violaciones adicionales el individuo sera sometido y procesado a la carcel.
- Personas retiradas de la Corte de Comisionados por falta de obedecer las reglas seran detenidas por violacion de el V.T.C.A. codigo penal §§38.13, 42.01 or 42.05.

(Admin. Policy Manual, § E(1.00--1.08); Ord. No. 98-2334, 12-8-1998; Ord. No. 2003-552, 4-1-2003; Ord. No. 2008-1336, 7-22-2008)

Commissioners Court Agenda – Tuesday, August 2, 2011

8. RESOLUTIONS:

- A. The Meadows Foundation, The Communities Foundation of Texas, The Dallas Foundation, and The Harold Simmons Foundation  
(Presented by Commissioner Dr. Elba Garcia)
- B. Durable Medical Equipment (DME)  
(Presented by Commissioner Dr. Elba Garcia)

9. CONSENT AGENDA:

- A. APPROVE COMMISSIONERS COURT REGISTER OF APPROVED CHECKS, AUTHORIZED CLAIMS CERTIFICATION, MINUTES OF REQUISITIONS, AND PAYROLL REGISTERS FOR THE PERIOD OF JULY 5 – AUGUST 2, 2011:

- B. OPEN BIDS/RFP'S:

THE FOLLOWING BIDS/RFP'S TO BE OPENED AUGUST 8, 2011:

Bid No. 2011-092-5869 Annual Contract for Law Enforcement Uniforms.  
(CONTRACT DATA PROVIDED MAY 24, 2011)

Bid No. 2011-093-5690 Annual Contract for the Purchase of Staple & Non-Staple Food Items. (CONTRACT DATA PROVIDED JULY 5, 2011)

- C. APPROVAL OF THE INVESTMENT OF DALLAS COUNTY FUNDS:

- D. RIGHTS OF WAY:

Summary Agreements.

- E. COURT AGENDA: (FOR FILING ONLY)

To approve filing of Commissioners Court Agenda, dated August 2, 2011.

- F. FIVE SIGNATURE DOCUMENTS: (FOR FILING ONLY)

\*Minister's Letter of Appreciation

\*Letter to The Honorable Rick Perry, Governor, State of Texas

Commissioners Court Agenda – Tuesday, August 2, 2011

9. CONSENT AGENDA: (Cont'd.)

G. TRANSFER OF FUNDS:

H. APPROVAL OF PLACEMENT OR SUBSTITUTION OF COLLATERAL FOR DALLAS COUNTY FUNDS:

I. PERSONNEL ACTIONS:

Employee Replacements and Salary Adjustments.

10. AWARD BIDS/RFP'S:

Bid No. 2011-085-5653 Annual Contract for Infectious and Bio-Hazardous Medical Waste Removal/Pick-up and Disposal Services awarded to: Waste Management Healthcare Solutions, Inc. (CONTRACT DATA PROVIDED APRIL 26, 2011)

Bid No. 2011-086-5654 Annual Contract for Document Destruction Services awarded to: Action Shred of Texas. (CONTRACT DATA PROVIDED JUNE 28, 2011)

11. COURT ORDER:

Authorizing the County Treasurer to transfer funds and/or issue described Dallas County checks or authorized Payroll Direct Deposits for the period of August 1, 2011 through August 31, 2011.

12. COURT ORDER:

Approving and accepting the Report of the County Treasurer for the month of June, 2011.

13. COURT ORDER:

Receiving and approving the Quarterly Investment Report of Dallas County Funds for the period of April 1, 2011 through June 30, 2011, as provided by the County Treasurer.

Commissioners Court Agenda – Tuesday, August 2, 2011

14. COURT ORDER:

Authorizing Gary Berman to be paid \$350.00 for a two hour court-ordered mediation fee in Cause No. DC-10-01480-F, styled *Alicia Cason v. Dallas County* and authorizing the County Treasurer to release said check to an employee of the Civil Division of the Dallas County Criminal District Attorney's Office.

15. COURT ORDER:

Authorizing Ken Rubenstein of Burdin Mediations to be paid \$450.00 for a half-day court-ordered mediation fee in Cause No. DC-10-16333 styled *Michele Marvin v. Dallas County*.

16. COURT ORDER:

Directing the Dallas County Treasurer to issue a check in the amount of \$625.00 payable to Wright & Toles, in Cause No. 10-03610-E styled *Ida Preston Porier v. County of Dallas, et al.*

17. COURT ORDER:

Authorizing Issac Perkins to be paid \$3,214.47 as full and final settlement by Dallas, Texas for property damage and rental reimbursement as a result of an accident that occurred on or about July 5, 2011, and authorizing the County Treasurer to release said check to an employee of the Civil Division of the Dallas County Criminal District Attorney's Office.

18. COURT ORDER:

Appointing Lori E. Bailey and L. D. Carpenter to serve on the Dallas County Homeland Security Advisory Committee for an initial term, effective August 2, 2011 through January 31, 2012.

19. COURT ORDER:

Authorizing the addition of a Public Defender Attorney IV position for Criminal District Court #6, Judge Howard, and requesting the Human Resources/Civil Service Department review the position for proper classification.

Commissioners Court Agenda – Tuesday, August 2, 2011

20. COURT ORDER:

Authorizing the interim funding in the amount of \$101,384 to be paid out of Countywide Grant Match funds for the eight (8) positions funded by grants 6018 and 6019.

21. COURT ORDER:

Approving the acceptance of the grant award for the Dallas County Constable Precinct 2 Tobacco Compliance grant from the Texas Comptroller of Public Accounts, and the County Judge is the authorized official given the power to reject, alter, or terminate the grant on behalf of Dallas County.

22. COURT ORDER:

Approving acceptance of the grant award for the Dallas County Sheriff's Office Compliance grant from the Texas Comptroller of Public Accounts, and Dallas County designates the County Judge as the authorized official given the power to accept the award on behalf of Dallas County.

23. COURT ORDER:

Approving the submission of the grant application for the DIVERT Court Program on behalf of the Texas Association of Drug Court Professionals 2011 Annual Training Conference; and designating the County Judge as the grantee's authorized official given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

24. COURT ORDER:

Authorizing the County Auditor to increase the mileage reimbursement rate for Dallas County from fifty-one cents (51¢) to fifty-five and one half cents (55.5¢) to take effect from July 1, 2011.

25. COURT ORDER:

Approving the final acquisition and leaseback of the Property located at 5306, 5310, 5314, 5322 Redfield St. and all associated rights of way for the purchase price discussed in executive session.

Commissioners Court Agenda – Tuesday, August 2, 2011

26. COURT ORDER:

Adopting the outlined Tax Increment Finance (TIF) Policy to replace the policy that was previously authorized under Court Order 99-2014 (10/26/99) governing the consideration of all TIF requests received by the County.

27. COURT ORDER:

Approving the Personal Services Contract with ARC, Austin Ribbon + Computer for the services of Mary Manning, and authorizing the Dallas County Judge to sign the contract on behalf of Dallas County.

28. COURT ORDER:

Approving the Personal Services Contract with ARC, Austin Ribbon + Computer for the services of Chad Parrett as Server Administrator, and authorizing the Dallas County Judge to sign the contract on behalf of Dallas County.

29. COURT ORDER:

Approving the extension of the Personal Services Contract with Komia, LLC for the services of Dennis Cail, III from December 20, 2010 through July 1, 2011, and authorizing the Dallas County Judge to sign the Amendment No. 1 on behalf of Dallas County.

30. COURT ORDER:

Approving the decision of the Civil Service Commission to award back pay and employee benefits to Darian Fisher for the period March 5, 2011 through April 15, 2011, \$3,537.60 plus benefits, for a total of \$4,140.76 less applicable deductions, and restoring vacation and sick leave hours and reinstating related back accruals.

31. COURT ORDER:

Approving the decision of the Civil Service Commission to award back pay and employee benefits to LaParker Smith for the period February 12, 2011 through April 19, 2011, \$7,256.80 plus benefits, for a total of \$8,494.08 less applicable deductions, and restoring vacation and sick leave hours and reinstating related back accruals.

Commissioners Court Agenda – Tuesday, August 2, 2011

32. COURT ORDER:

Approving the decision of the Civil Service Commission to award back pay and employee benefits to Dennis Jones for the period February 2, 2011 through May 9, 2011, \$8,947.92 plus benefits, for a total of \$10,473.54 less applicable deductions, and restoring vacation and sick leave hours and reinstating related back accruals.

33. COURT ORDER:

Approving acceptance of the North Texas Auto Theft Task Force's (NTATTF) grant award from the Texas Automobile Burglary and Theft Prevention Authority (ABTPA) for \$1,270,757, and authorizing the County Judge to sign all related documents.

34. COURT ORDER:

Authorizing the Family Law Division of the Dallas County Public Defender's Office and the Texas Offender Re-Entry Initiative (TORI) to enter into the Memorandum of Understanding (MOU) for an unspecified period of time or until the agreement is terminated on a written notice by one of the parties to the other.

35. COURT ORDER:

Approving refunds to taxpayers, as listed, for the period ending August 2, 2011, in amounts over \$2,500.00 for erroneous or excessive tax payments.

36. COURT ORDER:

Approving refunds to taxpayers, as listed, for the period ending August 2, 2011, in amounts over \$5,000.00 for erroneous or excessive tax payments.

37. COURT ORDER:

Approving acceptance of a donation from Anna Ardinger in the amount of \$1,000.00, for deposit into the Heat Relief fund for the purchase and installation of air conditioning units to qualified households, and authorizing a discretionary exemption from competitive purchasing requirements as allowed by Local Government Code, Chapter 262.024(a)(2).



Commissioners Court Agenda – Tuesday, August 2, 2011

38. COURT ORDER:

Approving acceptance of a donation from Communities Foundation of Texas in the amount of \$10,000.00, for the purchase of air conditioning units for victims of heat crisis in Dallas County, and authorizing a discretionary exemption from competitive purchasing requirements as allowed by Local Government Code, Chapter 262.024(a)(2).

39. COURT ORDER:

Approving acceptance of a donation from The Dallas Foundation in the amount of \$22,800.00, for the purchase and installation of air conditioning units for victims of heat crisis in Dallas County, and authorizing a discretionary exemption from competitive purchasing requirements as allowed by Local Government Code, Chapter 262.024(a)(2).

40. COURT ORDER:

Approving the Texas Department of State Health Services (DSHS) Contract No. 2011-038383-001, CPS-Laboratory Response Network-HPP, for the period of July 1, 2011 through June 30, 2012, and authorizing the County Judge to sign the contract and all related documents on behalf of Dallas County.

41. COURT ORDER:

Approving the Department of State Health Services (DSHS) Contract No. 2011-038521-001, CPS-Cities Readiness Initiative (CRI), and authorizing the County Judge to sign the contract and all related documents on behalf of Dallas County.

42. COURT ORDER:

Approving the Texas Department of State Health Services (DSHS) Contract No. 2011-038669-001, CPS-Laboratory Response Network-PHEP, and authorizing the County Judge to sign the contract and all related documents on behalf of Dallas County.

Commissioners Court Agenda – Tuesday, August 2, 2011

43. COURT ORDER:

Approving Amendments Number 4 to the Texas Department of Housing and Community Affairs (TDHCA) DOE ARRA Weatherization Assistance Program Contracts with the cities of Garland, Carrollton, Grand Prairie, and Balch Springs/Hutchins, Contract No. 16090000754, 16090000761, 16090000762, 16090000782, as described herein and as outlined, and authorizing the County Judge to electronically sign the Contract Amendments on behalf of Dallas County.

44. COURT ORDER:

Authorizing: 1) the Purchasing Department to terminate sections: 5, 7, 8 & 10 of Bid No. 2008-121-3900 as awarded to Volt Telecommunications, disbaring the company from bidding on future solicitations for a period of thirteen months (August 2, 2011 through September 1, 2012), 2) the procurement of these goods in accordance with purchasing policies and procedures and 3) all County documents and payments to reflect accordingly.

45. COURT ORDER:

Authorizing the final twelve (12) month extension of (Bid No. 2009-091-4440 - Annual Contract for Vehicle Auto Body and Collision Repair Services) as awarded to First Class Auto Inc., Graff Chevrolet Collision Center and Park Cities Ford Lincoln Mercury, for the period August 4, 2011 through August 3, 2012, and authorizing all County documents to reflect accordingly.

46. COURT ORDER:

Authorizing the first twelve (12) month extension of (RFQ No. 2010-072-5146 - Request for Qualifications for Financial Audit Services of Dallas County, Juvenile Board and Community Supervision and Correction Departments) as awarded to KPMG, LLP, for the period of November 9, 2011 through November 8, 2012, and authorizing all County documents/payments to reflect accordingly.

47. COURT ORDER:

Authorizing the cancellation of (Bid No. 2011-087-5655 - Contract for the Purchase and Installation of High Efficiency Gas/Electric Roof Top Package Units and Split System Units) rejecting all bids received from award consideration and authorizing staff to re-solicit bids under revised specifications at a later date.

Commissioners Court Agenda – Tuesday, August 2, 2011

48. COURT ORDER:

Authorizing the approval of the Master Interlocal/Cooperative Purchasing Agreement between Dallas County and the City of Wylie and authorizing the County Judge to execute the agreement on behalf of Dallas County.

49. COURT ORDER:

Authorizing the City of Dallas, as Trustee, to solicit sealed bids, and consent to sale of listed tax foreclosure properties to the highest bidder even if the bid tendered is less than the market value of the land specified in the judgment or the total amount of the judgment.

50. COURT ORDER:

Authorizing and directing the Dallas County Judge to execute the outlined Master Agreement governing the Major Capital Improvement Program with the City of Dallas.

51. COURT ORDER:

Authorizing the County Purchasing Agent to advertise for bids for the construction of the 1.4 mile section of Cockrell Hill Road Improvements MCIP Project 31202 from 1382 (Beltline Rd) to Parkerville Road, in the City of DeSoto in Road and Bridge District No. 3, with said bids to be returned to the Purchasing Department on or before 2:00 P.M., Thursday, August 25, 2011.

52. COURT ORDER:

Authorizing the County Purchasing Agent to advertise for bids for the construction of the 1.5 mile section of the Lawson Road MCIP Project 22604 from Scyene Road to US 80, located within Dallas and Kaufman Counties, the town of Sunnyvale in Road and Bridge District No. 2, with said bids to be returned to the Purchasing Department on or before 2:00 P.M., Monday, August 29, 2011.

53. COURT ORDER:

Rescinding Court Order No. 2011-741 (4/19/11), consenting to the City of Balch Springs' sale of the tax foreclosed property at 13701 Lake June Road, Balch Springs, Texas to M. Y. Bedran for \$45,000.

Commissioners Court Agenda – Tuesday, August 2, 2011

54. COURT ORDER:

Rescinding Court Order 2011-1163 (7/5/11) and approving the contract amendment to change the auto compensation amount to \$351.42 bi-weekly and removing the bi-weekly cell phone allowance in the amount of \$46.15.

55. CALLED BRIEFING SESSION:

See Briefing Agenda.

56. CALL EXECUTIVE SESSION:

For purposes permitted by Chapter 551, Open Meetings, Texas Government Code, Sections 551.071, 551.072, 551.073, 551.074, 551.0745, 551.075 and 551.076. The Commissioners Court reserves the right to exercise its discretion and may convene in closed/executive session as authorized by the Texas Government Code §§ 551.071, *et seq.* on any of the items listed on its Formal or Briefing agendas.

Subjects: \*Appointments

-2011-2013 County Board Committee Appointments

\*Pending or Contemplated Litigation and Attorney-Client Information

-Michele Marvin vs. Dallas County; DC-10-16333

-Alejandro Garcia, et al. vs. Dallas County, Texas; Civil Action 3:10-CV-02521-N

-Alicia Cason vs. Dallas County; DC-10-01480-F

-Jesus Tule vs. Federal National Mortgage Association and Valencia Nash; DC-11-08074

-Joseph Pulliam vs. Dallas County; CC-10-02825-E

-Hillvale Medical Group Association Educational Division vs. Dallas County; DC-10-07672-G

-Hillvale Medical Group Association Educational Division vs. Dallas County; DC-09-02369-J

-Dallas County vs. Hillvale Medical Group Association Educational Division; DC-07-11086-G

-Attorney-Client Privilege Matter Concerning Audit of Service of Civil Process and Constable Duties

-Linda Pearl Wilson vs. Dallas County, et al.; Civil Action No. 3:11-CV-0879-F

Commissioners Court Agenda – Tuesday, August 2, 2011

56. CALL EXECUTIVE SESSION: (Cont'd.)

Subjects: \*Claims

-Timmy Main vs. Dallas County; TW #11-000323  
-Darius Stanley – Subrogation Claim Reduction Request;  
TW #11-000441

-Alicia D. Ray – Subrogation Claim Reduction Request,  
-Kevin Feinglas – Workers Compensation Subrogation Claim  
Reduction Request; DWC Claim #09000460

\*Deliberations about Real Estate: Tex. Gov. Code Section 551-072

-Property Acquisition – Windle Turley

\*Consultation with Attorney/Legal Advice


-Redistricting

-Theft of Funds from District Clerk Criminal and Bond Forfeiture  
Sections

57. RECESS:

58. RECONVENE IF REQUIRED:

59. ADJOURN:



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John F. Warren, County Clerk

DALLAS COUNTY COMMISSIONERS COURT  
CLOSED SESSION AGENDA

ADDENDUM

August 2, 2011

PENDING OR CONTEMPLATED LITIGATION AND ATTORNEY CLIENT  
INFORMATION Tex. Gov. Code. §§551.071(1)(A) and (B)

Linda Pearl Wilson vs. Dallas County, et al.;  
Civil Action No. 3:11-CV-0879-F ..... 1-14